

Tennessee Board of Nursing
665 Mainstream Drive
Electronic Meeting/Iris Room
Nashville, Tennessee

Disciplinary Meeting
MINUTES
November 10, 2021

Wednesday, November 10, 2021

Call to Order: The electronic meeting of the Tennessee Board of Nursing was called to order at 2:09 pm, November 10, 2021 in the Poplar Room.

In order to ensure all requirements were met to have a valid electronic meeting several requirements for electronic meetings were reviewed with the board – each of which required a roll call vote. Participants were asked to introduce self each time before speaking.

Sherry Richardson, conducted roll call to ensure each participant was connected:

<u>NAME</u>	<u>RESPONSE</u>	
Martina Harris, RN	Y	N
Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

Sherry Richardson conducted roll call to determine that each participant heard the responses of all other participants:

<u>NAME</u>	<u>RESPONSE</u>	
Martina Harris, RN	Y	N
Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

A quorum was present pursuant to T.C.A. 63-7-116 (i) - for disciplinary matters 3 or more members shall constitute a quorum. The meeting was being held in order to protect the public by timely considering an application for summary suspension and orders of discipline for ratification.

Ms. Richardson conducted roll call to request that Board members identify anyone else in the room with them at their location:

<u>Name</u>	<u>RESPONSE</u>
Martina Harris, RN	alone
Samuel Alston, LPN	alone
Sheryl Wright, APRN	alone

Ms. Richardson introduced TDH staff present: Megan Gottschall, Mark Waters, Nathaniel Flinchbaugh, Ashley Fine, Erin Currier, Kevin Griffin, Margaret Daniel, Rhonda Potter, Cynthia Ellis, Mario Tamayo, and security guard. Lisa Finch, Court Reporter, was also present.

Board members were asked to verify that all documents were received by cloud link. All board members verified the link was received and they had access to documents.

Mr. Alston made a motion to proceed to conduct this meeting electronically. Dr. Harris seconded the motion. Roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Martina Harris, RN	Y	N
Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

Motion carried.

Ms. Richardson asked for a motion and a second followed by a roll call to determine if the matter or matters to be discussed meet the following requirements for an electronic meeting:

1. The subject matter requires timely action.
2. The physical presence of all members of the Board is not possible considering the time required for action, and
3. The participation by some or all the members of the board by electronic or other means is necessary.

Ms. Wright made a motion to find that the requirements for an electronic meeting have been met. Dr. Harris seconded the motion. Roll call vote:

<u>NAME</u>	<u>RESPONSE</u>
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Martina Harris, RN	Y	N
Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

Motion carried.

Ms. Richardson reminded each participant to introduce themselves each time before speaking and turned the electronic meeting over to the Panel to elect a Chair. Dr. Harris nominated herself as Chair for the hearing. Ms. Wright seconded.

Roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Martina Harris, RN	Y	N
Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

Dr. Harris declared a quorum present and turned the meeting over to Ms. Megan Gottschall, Assistant General Counsel.

Hearing—Jonathan Francis Casale, RN License # 214671

Ms. Megan Gottschall, Associate General Counsel, opened the meeting stating the necessity for the emergency meeting of the panel for the summary suspension of Jonathan Francis Casale, RN License #214671. No panel member declared any prior knowledge of the matter. Mr. Casale was present and represented by Chris Tardio.

Ms. Gottschall presented the case for summarily suspending the license of Ms. Jonathan Francis Casale, RN License # 214671.

No conflicts were identified by the board members.

Following presentation, testimony and discussion by the panel, Mr. Alston moved to accept findings of fact 1 through 6 of the proposed order of summary suspension true as written. Ms. Wright seconded, roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
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Martina Harris, RN	Y	N
Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

Motion carried.

Dr. Harris moved to deny the state’s request for emergency action, pending a full hearing before the Board. Ms. Wright seconded, roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Martina Harris, RN	Y	N
Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

Motion carried.

Hearing—Sammie D. Swindle, LPN License # 31262

Mr. Kevin Griffin, Associate General Counsel, opened the meeting stating the necessity for the emergency meeting of the panel for the summary suspension of Sammie D. Swindle, LPN License # 31262. No panel member declared any prior knowledge of the matter. Ms. Swindle was not present or represented by an attorney.

Mr. Griffin presented the case for summarily suspending the license of Ms. Sammie D. Swindle, LPN License # 31262.

Following presentation and discussion by the panel, Mr. Alston moved that the preliminary findings of the severity of the misconduct by Ms. Sammie D. Swindle imperatively requires the emergency action and moved to summarily suspend the LPN license of Ms. Sammie D. Swindle, LPN License # 31262 and adopt the proposed order of summary suspension in its entirety as presented. Ms. Wright seconded, roll call vote:

<u>NAME</u>	<u>RESPONSE</u>	
Martina Harris, RN	Y	N

Samuel Alston, LPN	Y	N
Sheryl Wright, APRN	Y	N

Motion carried.

Dr. Harris authorized Ms. Richardson to sign orders presented today on her behalf.

Agreed/Consent Orders

Megan Gottschall

Lily Gailmard	RN 230029	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Wright, roll call vote: Martina Harris—yes Sheryl Wright—yes Samuel Alston-- yes Motion carried.
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Ashley Fine

Eric Peaden	RN 221004	Ms. Wright moved to accept the consent order as written. Seconded by Mr. Alston, roll call vote: Martina Harris—yes Sheryl Wright—yes Samuel Alston-- yes Motion carried.
Thomas Yawn	RN 199571	Ms. Wright moved to accept the consent order as written. Seconded by Dr. Harris, roll call vote: Martina Harris—yes Sheryl Wright—yes Samuel Alston-- yes Motion carried.

Nathaniel Flinchbaugh

Samantha Kitterman Spinks	RN 141871 APRN 21159	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Wright, roll call vote: Martina Harris—yes Sheryl Wright—yes Samuel Alston-- yes Motion carried.
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Dr. Harris moved to adjourn the meeting; second by Mr. Alston, roll call vote:
Martina Harris—yes
Sheryl Wright—yes
Samuel Alston-- yes
Motion carried.

Meeting adjourned at 4:45 p. m. (CDT) on Wednesday, November 10, 2021.